

MEETING MINUTES
NEWPORT COAST ADVISORY COMMITTEE

Location: Newport Coast Elementary School, Newport Coast, CA
Ridge Park Road and Newport Coast Drive
6:00 p.m., Monday, March 13th, 2006

1. **Welcome and Introductions.** Vice-Chairman Jim McGee convened the meeting at 6:09 p.m. The following persons were in attendance:
 - Committee members: Jim McGee (Chairman), Gerry Ross (Vice-Chairman), Al Willinger, Dan Wampole, Jack Butefish, and Council Members Keith Curry and Richard Nichols.
 - Members of the public: Phil Bettencourt, Gary Wright, Neal and Marsha Steinbrenner.
 - City staff: Dave Kiff (Assistant City Manager), Matt Lohr (Recreation and Senior Services). Jennifer Branin of Branin Finance, a consultant to the City, attended as well.
2. **Approval of Minutes from Previous Meeting(s).** The Committee approved the January 2006 Minutes unanimously.
3. **Public Comment on Non-Agenda Items.**
 - Gary Wright asked about the Villa Del Lago property and its ability to have an equestrian facility. He noted that it could have smells, noise, and insects. Kiff reported that he had investigated the issue previously when NCAC members asked about it and found that the property's planning documents did allow horses and a stable.
 - Dan Wampole asked if the banners on the Newport Coast Elementary School property were legal. Kiff later reported that NMUSD facilities are not subject to the City's sign code, so the City could not enforce against any banners or signs on school property.
 - Keith Curry reported on recent actions to prepare for the renewal of Measure M in Orange County.
4. **Old Business**
 - A. **Newport Coast Assessment District Review - Final Report Update.** Jennifer Branin, who had also meet with the NCAC's Finance Subcommittee at 5:00 that evening, presented a draft version of her near-final report on the use of

Assessment Districts and related funds in the Newport Coast. She still needed some additional information from the County, but the remaining issues boiled down to the following:

- Was the price paid by the Transportation Corridor Agencies (TCA) to pay back Assessment District 88-1 for the temporary version of Newport Coast Drive (the one replaced by the SJ Hills Tollway between MacArthur and Newport Coast Drive appropriate? It was roughly \$3 million - the salvage value of the asphalt.
- Was the County's decision to treat assessment districts as "county-administered accounts" in the bankruptcy recovery agreement - rather than treat them as separately-administered funds with a faster payback - appropriate? As a result, AD 88-1 and 92-1 will recover from the bankruptcy more slowly than Community Facilities Districts.
- Is there any remedy for homeowners for the County's decision in the early 1990s to NOT apply for State Highway Designation for Newport Coast Drive? With such designation, the \$68 million Project could have had 70% of its funding provided by the State Highway Fund rather than the residents who pay into AD 88-1. Given that Newport Coast Drive is used by many persons outside of the Newport Coast, the State Highway designation seemed reasonable.

Committee members asked Branin questions about the report and stated that they would look forward to seeing the final version at the May meeting. The questions and comments included:

- McGee - "if all of the parties involved in the TCA discussion of the value of that temporary road were appropriately representing everyone's interests, it's very difficult to explain how an \$18 million cost turned into a \$3.5 million return."
- Ross - "no court has ever opined on the legal issues surrounding the transition of the end of Newport Coast Drive into a tollroad..."

NOTE: Branin's final report is on the City's website (www.city.newport-beach.ca.us) under "Projects."

B. Issue Updates.

1 -- Newport Coast Drive Entryway Signage Project. Kiff noted that the Irvine Company had asked to meet with the City to comment on the designs, especially about the stacked-stone version, noting that the stacked stone version "was less in line with the vision of the Newport Coast" than a more contemporary styling. The NCAC then formed a design subcommittee - consisting of Dan Wampole, Jim McGee, and Gerry Ross - to meet with City staff, John Temple of Hunt Design, and TIC to discuss the design alternatives.

2 - Newport Coast Community Center. The Committee discussed the City Council's recent approval of the bid for the project. McGee asked Kiff to make sure that Annie Tutunjian was involved in exterior design decisions (colors, surfaces, copper panels) as construction begins.

3 - Bus Shelters and Bus Shelter Advertising at Crystal Cove State Park. Kiff reported that the City would be preparing a Request for Proposals (RFP) for a new provided of bus shelters citywide, and that the NCAC would get a chance to review that RFP.

4 - Update from Library Funding Subcommittee. Mr. Willinger reported that he and Phil Bettencourt had met, reviewed funding alternatives, and decided that they should meet with the City and with representatives of Newport-Mesa School District to discuss options and challenges for constructing the library portion of at the Newport Coast Community Center. This meeting occurred in mid-June 2006.

5 - Marriott Newport Coast Villas - Height Information. Peer Swan was not in attendance, so this issue was not discussed.

C. Pelican Point's Letter from the State Water Resources Control Board Regarding Discharges into the Area of Special Biological Significance. Not discussed - moved to the May 2006 meeting agenda.

5. New Business

6. Issues/Action Items for Future Meetings. The Committee suggested that Kiff place the following issues on the May 1st, 2006 (or later) meeting agenda:

- Road Closure of Pelican Hill Road South
- ASBS Letter at Pelican Point

7. Adjourn to Next Meeting. The Committee adjourned at 7:31 p.m. and set its next regular meeting at 5:30 p.m. on Monday, May 1st, 2006 at the Newport Coast Elementary School's multi-purpose room.

#